

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office.....~~JAN 05 1993~~ NEW PRIORITY DATE: SEP 29 2006
 Returned to applicant for correction.....**FEB 17 1993**
 Corrected application filed.....**APR 14 1993** Map filed **APR 14 1993** under 58452

The applicant.....C. Reid & Ellen Nora Lau; Charles L. & Adriene Smith
Star Route Box 122 of Orovada
Street and No. or P.O. Box No. City or Town
Nevada 89425
State and Zip Code No. hereby make.... application for permission to change the
 point of diversion and place of use of a portion
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under.....Application 39073 Certificate 11178
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
 identify right in Decree.

- The source of water is.....underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed......115 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for.....irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for.....irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T.44N.,
Describe as being within a 40-acre subdivision of public survey and by course and
R.34E., M.D.B.&M., or at a point from which the NE corner of said Section 9
distance to a section corner. If on unsurveyed land, it should be stated.
bears N 49⁰ 01' 48" E 76.29'.
- The existing permitted point of diversion is located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T.45N.,
If point of diversion is not changed, do not answer.
R.34E., M.D.B.&M., or at a point from which the NE corner of said Section 7
bears N 45⁰ 30' 50" E 3870.33'.
- Proposed place of use E $\frac{1}{2}$ Section 9, T.44N., R.34E., M.D.B.&M. 32.8 acres
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use S $\frac{1}{2}$ Section 7, T.45N., R.34E., M.D.B.&M. 308.7 acres. 32.8
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
acres to be removed from the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 7.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from.....March 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from.....March 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well and irrigation system.
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works.....N/A. Well is complete.
- Estimated time required to construct works.....Well is complete. See well log and proof of completion
filed under Application 17060 Certificate 7160
for information on the well.

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

By John H. Milton III, PLS, SWRS, Agent
s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared bc/bc jr/bk

Protested

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 39073, Certificate 11178 is issued subject to the terms and conditions imposed in said Permit 39073, Certificate 11178 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 58453 and 58457 shall not exceed 97.92 acre-fet seasonally.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1154 cubic feet per second, but not to exceed 48.96 acre-feet seasonally, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before August 23, 1997

Proof of completion of work shall be filed before September 23, 1997

Application of water to beneficial use shall be made on or before August 23, 2000

Proof of the application of water to beneficial use shall be filed on or before September 23, 2000

Map in support of proof of beneficial use shall be filed on or before September 23, 2000

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 23rd day of August

A.D. 19 95
[Signature]
State Engineer

CANCELLED SEP 18 2006 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT

Tony T. P.E. STATE ENGINEER
Can. Rescinded 3-21-07
(O)-1108 (Rev. 6-81)

(PERMIT TERMS CONTINUED)

Permits 58453 and 58457 are limited to the irrigation of 32.8 acres within the described place of use.